

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CLINIQUE LA PRAIRIE, S.A.

Plaintiff,

-against-

**THE RITZ-CARLTON HOTEL
COMPANY, L.L.C., et al.**

Defendants.

C.A. No. 1:07-cv-04038-PAC

**DEFENDANT RITZ-CARLTON HOTEL COMPANY, L.L.P.'S
MOTION TO DISMISS WITH PREJUDICE**

Defendant The Ritz-Carlton Hotel Company, L.L.C. (“Ritz-Carlton”), by and through counsel, moves the Court for an order dismissing the pending action with prejudice.

As grounds for this motion, Ritz-Carlton states that pursuant to an agreement between plaintiff Clinique La Prairie, S.A. (“CLP”) and defendant La Prairie, Inc. (“La Prairie”), it was agreed that this litigation would be dismissed with prejudice. In a subsequent ruling in a Swiss arbitration between CLP and LaPrairie, the arbitrators ordered dismissal with prejudice, and subsequently affirmed that ruling.

In further support of its Motion, Ritz-Carlton respectfully refers the Court to its Memorandum of Law in Support of Its Motion to Dismiss with Prejudice, and the exhibits thereto, which are contemporaneously submitted with this Motion.

WHEREFORE, Ritz-Carlton requests that the Court dismiss this matter with prejudice.

Dated: August 25, 2008

Respectfully Submitted,

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/s/ David N. Wynn

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